

रजिस्टर्ड नं० पी०/एस०एम० 14.



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 2 मई, 1981/12 वैशाख, 1903

हिमाचल प्रदेश सरकार

LAW DEPARTMENT

NOTIFICATIONS

Simla-2, the 2nd May, 1981

No. LLR-D (6)19/80.—The Himachal Pradesh General Sales Tax (Amendment) Bill, 1981 (Bill No 1 of 1981) after having received the assent of the Governor, Himachal Pradesh on the 2nd May, 1981

under Article 200 of the Constitution of India is hereby published in the Rajpatra, Himachal Pradesh as Act No. 4 of 1981.

JAI CHAND MALHOTRA,
Secretary (Law).

Act No. 4 of 1981.

**THE HIMACHAL PRADESH GENERAL SALES TAX (AMENDMENT)
ACT, 1981**

AN

ACT

further to amend the Himachal Pradesh General Sales Tax Act, 1968 (Act No. 24 of 1968).

BE it enacted by the Legislative Assembly of the Himachal Pradesh in the Thirty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh General Sales Tax (Amendment) Act, 1981.

Short title
and com-
mencement.

(2) It shall be deemed to have come into force on the 15th day of November, 1980.

24 of 1968 2. In clause (e) of sub-section (6) of section 4 of the Himachal Pradesh General Sales Tax Act, 1968 (hereinafter called the principal Act), for the figures "40,000" the figures "1,00,000" shall be substituted.

Amendment
of section 4.

3. In the existing proviso to sub-section (4) of section 12 of the principal Act—

Amendment
of section 12.

(a) after the words "through a" but before the words "bank draft", the words "crossed cheque or" shall be inserted; and

(b) for the sign "." occurring at the end the sign ":" shall be substituted and thereafter the following proviso shall be added, namely:—

"Provided further that where the payment is made through a crossed cheque and the cheque is dishonoured, the dealer shall be deemed to have not made the payment and shall be liable to any action which may be taken for not making payment under the Act or the rules framed thereunder."

5 of 1980 4. (1) The Himachal Pradesh General Sales Tax (Amendment) Ordinance, 1980 is hereby repealed.

Repeal and
savings.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the corresponding provisions of this Act, as if this Act had come into force on the day on which such thing was done or action was taken.

Simla-2, the 2nd May, 1981

No. LLR.D(18)/80.—The Himachal Pradesh Krishi Vishva Vidyalaya (Amendment) Bill, 1981 (Bill No. 4 of 1981) after having received the assent of the Governor, Himachal Pradesh on the 2nd May, 1981 under Article 200 of the Constitution of India is hereby published in the Rajpatra, Himachal Pradesh as Act No. 5 of 1981.

JAI CHAND MALHOTRA,
Secretary (Law).

Act No. 5 of 1981.

**THE HIMACHAL PRADESH KRISHI VISHVA VIDYALAYA
(AMENDMENT) ACT, 1981**

AN

ACT

to amend the Himachal Pradesh Krishi Vishva Vidyalaya Act, 1978
(Act No. 30 of 1978).

BE it enacted by the Legislative Assembly of Himachal Pradesh in the
Thirty-second Year of the Republic of India, as follows:—

1. (1) This Act may be called the Himachal Pradesh Krishi Vishva
Vidyalaya (Amendment) Act, 1981.

Short title
and com-
mencement.

(2) It shall come into force at once, except sections 12 and 13 which shall
and shall always be deemed to have come into force on the 1st day of
November, 1978.

2. After the existing clause (q) of section 2 of the Himachal Pradesh
Krishi Vishva Vidyalaya Act, 1978 (hereinafter called the principal Act),
the following new clause (qq) shall be inserted, namely:—

Amend-
ment of
section 2.

“(qq) “Pro-Vice-Chancellor” means the Pro-Vice-Chancellor of the
University;”.

3. In sub-section (2) of section 3 of the principal Act, after the words and
sign “the first Vice-Chancellor,” but before the words “the first members of
the Board of Management” the words and sign “the first Pro-Vice-Chan-
cellor,” shall be inserted.

Amendment
of section 3.

4. In section 10 of the principal Act,—

(a) after the existing clause (i) of sub-section (2) the following new
clause (i-a) shall be inserted, namely:—

Amendment
of section
10.

“(i-a) the Pro-Vice-Chancellor;”;

(b) after the existing sub-section (8) the following new sub-section (8-a)
shall be inserted, namely:—

“(8-a) The Pro-Vice-Chancellor shall be the Vice-Chairman of the
Board and in the absence of the Vice-Chancellor shall preside
at its meetings.”; and

(c) in the existing proviso to sub-section (9) after the words “the Vice-
Chancellor” but before the sign “.” the words “and the Pro-
Vice-Chancellor” shall be inserted.

5. After the existing clause (i) of sub-section (2) of section 12 of the
principal Act, the following new clause (i-a) shall be inserted, namely:—

Amendment
of section
12.

“(i-a) The Pro-Vice-Chancellor shall be the *ex-officio* Vice-Chairman;”.

Amendment of section 17. 6. After the existing clause (ii) of section 17 of the principal Act, the following new clause (ii-a) shall be inserted, namely:—

“(ii-a) the Pro-Vice-Chancellor;”

Amendment of section 19. 7. In sub-section (4) of section 19 of the principal Act, for the words “the senior-most from amongst the Deans and Directors” the words “the Pro-Vice-Chancellor” shall be substituted.

Insertion of section 19-A. 8. After the existing section 19 of the principal Act, the following new section 19-A, along with its heading, shall be inserted, namely:—

“19-A. The Pro-Vice-Chancellor.—

- (1) The Pro-Vice-Chancellor shall be a whole time officer of the University. The first Pro-Vice-Chancellor after the commencement of the Himachal Pradesh Krishi Vishva Vidyalaya (Amendment) Act, 1981, shall be appointed by the Chancellor, in consultation with the State Government, on such terms and conditions as the State Government may determine. Subsequent Pro-Vice-Chancellor shall be appointed by the Chancellor in consultation with the Vice-Chancellor.
- (2) The term of office of the Pro-Vice-Chancellor shall ordinarily be ceterminus with the office of the Vice-Chancellor:
Provided that notwithstanding the expiry of the term of his office, the Pro-Vice-Chancellor shall continue in office until his successor is appointed and enters upon his office.
- (3) The emoluments and other conditions of service of the Pro-Vice-Chancellor shall be such as may be prescribed and shall not vary to his disadvantage after his appointment.
- (4) On the expiry of the term of his office, the Pro-Vice-Chancellor shall be eligible for re-appointment.
- (5) A person appointed as Pro-Vice-Chancellor shall retire from office if during the term of his office or any extension thereof, he completes the age of 65 years.
- (6) If, in the opinion of the Chancellor, the Pro-Vice-Chancellor wilfully omits or refuses to carry out the provisions of this Act, or abuses the power vested in him and if it appears to the Chancellor that the continuance of the Pro-Vice-Chancellor in office is detrimental to the interest of the University, the Chancellor may, after consultation with the Board and the Government, by order remove the Pro-Vice-Chancellor after giving him an opportunity of showing cause against the action proposed to be taken in regard to him.
- (7) The Pro-Vice-Chancellor may, by writing under his hand addressed to the Chancellor, resign his office. The resignation shall be delivered to the Chancellor ordinarily at least 60 days prior to the date on which the Pro-Vice-Chancellor wishes to be relieved from his office, but the Chancellor may relieve him earlier. The resignation shall take effect from the date of relief.”

Insertion of section 21-A. 9. After the existing section 21 of the principal Act, the following new section 21-A, along with its heading, shall be inserted, namely:—

“21-A. Powers and duties of the Pro-Vice-Chancellor.—

- (1) Subject to the control and supervision of the Vice-Chancellor the Pro-Vice-Chancellor shall perform such duties and exercise

such powers as may be conferred upon him under the Act or the Statutes or are delegated to him by the Vice-Chancellor or the Board.

- (2) The Board shall delegate to the Pro-Vice-Chancellor such powers as are necessary for the proper and efficient functioning of the Solan Agricultural Complex.

Explanation.—For the purposes of this section, “the Solan Agricultural Complex” shall mean the Agriculture College, Solan and shall include all other agricultural institutions and activities located at Solan and at such other places as may be specified by the Government from time to time.”

10. For the sign “.” occurring at the end of sub-section (1) of section 24 of the principal Act, the sign “:” shall be substituted and thereafter, following proviso shall be added, namely:— Amendment of section 24.

“Provided that in case of College of Agriculture at Solan, the Dean shall be responsible to the Pro-Vice-Chancellor subject to the overall control of the Vice-Chancellor.”

11. In sub-section (1) of section 25 of the principal Act, after the words “the Vice-Chancellor” but before the sign “.” the words “but in relation to the Agriculture College, Solan, the Director of Research shall be responsible to the Vice-Chancellor through the Pro-Vice-Chancellor” shall be inserted. Amendment of section 25.

12. For the existing sub-section (2) of section 39 of the principal Act, the following sub-section (2) shall be substituted, namely:— Amendment of section 39.

“(2) Every teacher, officer and other employee inherited from the Himachal Pradesh University under sub-section (1) shall hold and continue to hold his office or service in the University on the same terms and conditions and with the same rights to pension, provident fund, gratuity and other matters as were admissible to him in the Himachal Pradesh University on the day immediately preceding the appointed day:

Provided that such an inherited teacher, officer and other employee shall have the right to opt for the service conditions as may be offered by the University:

Provided further that in the event of any dispute or difficulty in the implementation of the provisions of this section, the matter shall be referred to the Government, the decision of which shall be final.”

13. In section 40 of the principal Act, the word “The” occurring for the first time shall be corrected as “the” and before the words “the age of retirement” the words, figures and sign “Save as provided in section 39,” shall be inserted. Amendment of section 40.

14. After the existing clause (i) of sub-section (1) of section 44 of the principal Act, the following new clause (i-a) shall be inserted, namely:— Amendment of section 44.
“(i-a) the Pro-Vice-Chancellor;”

Amendment
of section
55.

15. After the existing clause (f) of section 55 of the principal Act, the following new clause (ff) shall be inserted, namely:—

“(ff) procedure of appointment, emoluments and conditions of service of the Pro-Vice-Chancellor and his powers;”.

Repeal and
savings.

16. (1) The Himachal Pradesh Krishi Vishva Vidyalaya (Second Amendment) Ordinance, 1980 is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done, or taken, under this Act, as if this Act was in force on the day on which such thing was done or action was taken.

6 of 1980